Identification of exposed plants at high risk for developing citrus canker will be based on an evaluation of all of the circumstances related to their exposure, including, but not limited to, the following:

(A) The stage of maturity of the exposed plant at the time of exposure and the size and degree of infestation to which the plants were exposed,

(B) The proximity of exposed plants to infected plants or contaminated articles at the time of exposure, and

(C) The length of time the plants were exposed.

(ii) [Reserved]

[55 FR 37450, Sept. 11, 1990; 55 FR 42698, Oct. 23, 1990, as amended at 55 FR 49502, Nov. 29, 1990; 56 FR 8102, Feb. 27, 1991; 57 FR 49374, Nov. 2, 1992; 59 FR 25288, May 16, 1994; 61 FR 1521, Jan. 22, 1996; 64 FR 4780, Feb. 1, 1999; 65 FR 53530, Sept. 5, 2000; 65 FR 57723, Sept. 26, 2000; 67 FR 9390, Mar. 1, 2002; 67 FR 13084, Mar. 21, 2002; 67 FR 18463, Apr. 16, 2002; 67 FR 30771, May 8, 2002; 69 FR 55317, Sept. 14, 2004; 70 FR 9209, Feb. 25, 2005; 70 FR 33268, June 7, 2005; 71 FR 43351, Aug. 1, 2006]

§ 301.75–5 Commercial citrus-producing areas.

(a) The following are designated as commercial citrus-producing areas:

American Samoa
Arizona
California
Florida
Guam
Hawaii
Louisiana
Northern Mariana Islands
Puerto Rico
Texas
Virgin Islands of the United States

(b) The list in paragraph (a) of this section is intended to include jurisdictions which have commercial citrus-producing areas. Less than an entire State may be designated as a commercial citrus-producing area only if the Administrator determines that the area not included as a commercial citrus-producing area does not contain commercial citrus plantings; that the State has adopted and is enforcing a prohibition on the intrastate movement from areas not designated as commercial citrus-producing areas to commercial citrus-producing areas of fruit which are designated as regulated articles and which were moved interstate from a quarantine State pursuant to a limited permit; and that the designation of less than the entire State as a commercial citrus-producing

area will otherwise be adequate to prevent the interstate spread of citrus canker.

[50 FR 51231, Dec. 13, 1985, 51 FR 2873, Jan. 22, 1986; as amended at 53 FR 13242, Apr. 22, 1988; 53 FR 44173, Nov. 2, 1988. Redesignated at 55 FR 37450, Sept. 11, 1990]

§ 301.75–6 Interstate movement of regulated nursery stock from a quarantined area.

(a) Regulated nursery stock may not be moved interstate from a quarantined area except for immediate export in accordance with paragraph (c) of this section; *Provided*, that calamondin and kumquat plants may be moved interstate from a quarantined area in accordance with paragraph (b) of this section.

(b) Calamondin (*Citrus mitus*) and kumquat (*Fortunella* spp.) plants, with or without fruit attached, may be moved interstate from a quarantining area into any area of the United States except commercial citrus-producing areas if all of the following conditions are met:

(1) The plants are own-root-only and have not been grafted or budded;

(2) The plants are started, are grown, and have been maintained solely at the nursery from which they will be moved interstate.

(3) If the plants are not grown from seed, then the cuttings used for propagation of the plants are taken from plants located on the same nursery premises or from another nursery that is eligible to produce calamondin and kumquat plants for interstate movement under the requirements of this paragraph (b). Cuttings may not be obtained from properties where citrus canker is present.

(4) All citrus plants at the nursery premises have undergone State inspection and have been found to be free of citrus canker no less than three times. The inspections must be at intervals of 30 to 45 days, with the most recent inspection being within 30 days of the date on which the plants are removed and packed for shipment.

(5) All vehicles, equipment, and other articles used in providing inspection, maintenance, or related services in the nursery must be treated in accordance with §301.75–11(d) before entering the